The A. F. of L. Weekly News Service gives a brief summary of important labor, affecting labor, occurring in the industrial, legislative and judicial fields, and such other information that will benefit the trade union movement.

AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

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AGITATE! EDUCATE! ORGANIZE!

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COAL OWNERS' MINE GUARD SYSTEM ENJOINED BY WEST VIRGINIA COURT

Charleston, W. Va., Nov. 29.—The mine guard system of Logan county has been enjoined by Circuit Court Judge Hudson of this county who has issued an order against the maintenance of this private army on Sheriff Don Chafin of Logan county, and all other officers, including judges, of Logan county. Approximately 250 deputy sheriffs and 50 coal companies are included in the order.

The injunction petition was presented by Attorney General England, who told the court Chafin appoints deputies to act as mine guards, that the deputies are paid out of private funds and that Chafin is paid to make the appointments.

Judge Hudson's order restrains Chafin, Circuit Court Judge Bland, Prosecuting Attorney John Chafin and other officials of Logan county from appointing deputies to act as watchmen for private individuals or corporations, restrains the deputies from "further acting or performing any duties in the capacity of guards or watchmen for any private individual or corporation," and restrains the coal companies from paying money directly to the deputies for services, or to Sheriff Chafin for appointment of deputies to act for any individual, firm or corporation.

The injunction is a hard blow to the mine guard system, which has been developed by coal owners in their war on organized miners. In his petition to the court, Attorney General England charged gross violation of law and intimidation of voters to the extent of killing citizens upon very little provocation. The writ application recites that Chafin has become a very rich man since he was named sheriff four years ago.

The attorney general indorses every charge that organized labor has made against the coal owners and their private armies. Wholesale "framing" of enemies of the system by private mine guards, violation of federal and state laws, driving away, beating and even killing of "innocent citizens, by mine guards, under the sheriff's protection," general use of the mine-guard system to "corrupt the ballot in order to perpetuate itself" and other abuses are charged.

The injunction is additional troubles for the Logan county gangsters. Sheriff Chafin is under federal indictment for one, and the state supreme court ruled that a plea for a new trial can only be based on the record of the case, and that there is no irregularity in the conduct of the trial. The attorneys pleaded that the perjury was discovered until after the record of the case were closed, but the court dismissed the plea. The United States supreme court sustained the California court, and Mooney remains in jail although leading witnesses in the prosecution have sworn they committed perjury when he was convicted.

The governor of the state is the last recourse, and numerous pleas have been made to him for Mooney's pardon. The state senate condemned Mooney for one of the other deaths, but the prosecution refuses to accept this conviction in connection with a new trial, was with him when he was alleged to have thrown the bomb, was later acquitted, as was two others.

As the Mooney case stands now he is in the penitentiary on perjured testimony that the prosecution does not deny. Because of the peculiar California laws governing appeals, he can not secure a new trial.

PENSION PRINCIPLE APPROVED BY LABOR

El Paso, Texas, Nov. 29.—Approval of the principle of old age pensions was voted by the A. F. of L. convention. Trade unionists are called upon to defend these old age pension laws. The executive council recommended that this subject be studied in the light of the larger problem of labor insurance.

"The old age pension, in principle, attempts to do the same thing as the policies insurance companies are writing for 'assured' incomes. In essence, all forms of life insurance are a method of prolonging the income-producing capacity of the individual—whether during old age or after death," the council said.

"It is evident that our trade unions must render increasing service to our membership to conform to our growing standards of industrial and social welfare, and the method for securing desired results must be given most careful and searching consideration in order that we establish agencies that will bring dependable and constructive results."

NO PRICE CAN REPAY LOSS OF LIBERTY

El Paso, Texas, Nov. 29.—Material gain is no defense for denying rights to even one individual, the A. F. of L. convention declared, in recording its opposition to compulsory arbitration.

"We believe that the most trifling of the smallest group, as well as the largest, to enjoy the blessings of liberty and justice under our government is above any other consideration, comfort or convenience, happiness or prosperity," the resolution declared. "Material well being of the nation is to be sought for only at the cost of oppression to any group or division of the nation, however insignificant in number or strength that group or division may be."

SOCIAL LAWS EVER OPPOSED

By JOHN P. ALTGELD

Illinois' Most Illustrious Governor

In 1802, after much agitation, an act very narrow in its scope was passed in England to protect apprentices in certain factories. In 1815, Sir Robert Peel endeavored to secure similar protection for children in other factories, but he was not able to secure the passage of such an act until 1819, for it met with the most bitter opposition, as did every one of the many measures thereafter passed to protect women and children.

Not only did the employers do everything within their power in opposition, but so-called statesmen, political economists, philosophers and many of the clergy united to oppose them. Every argument and every sophistry that the mind can conceive was exhausted by these eminent people, and they predicted the industrial and financial ruin of the British empire as the result of such legislation.

It is a curious and sad fact that in the long, weary, upward march of the human race there was scarcely ever an act proposed for the protection, emancipation or elevation of the poor but met with the most violent opposition from the so-called better classes as well as from statesmen, philosophers and from many of the clergy.

"CAN'T-STRIKE" LAW AGAIN UNDER ATTACK

Washington, Nov. 29.—Sagging under adverse court decisions and criticism by the workers, the Kansas industrial court is again before the United States supreme court. The Charles Wolff packing company of Topeka, Kan., asks the court to rule that the industrial court has no power to set hours or working conditions.

Last year the supreme court ruled that the industrial court has no power to set wages for the packing company on the ground that the packing business is affected with a public interest. The supreme court held that it is the business of the judiciary, and not the legislature, to decide when a private business is affected with a public interest.

That decision was a blow at the vitals of the Kansas "can't-strike" law, which is based on the assumption that when a legislature labels any private business as being affected with a public interest, this justifies the industrial court in setting wages, hours and working conditions for these industries.

Last year's decision only applied to wages. The industrial court insists that it is empowered to set hours and working conditions, and these will be passed upon by the United States supreme court. If the decision is favorable to the packing company, the Allen law is destroyed.

Four years ago this law and its supposed author, Governor Allen, were on the first page of every newspaper. The "solution" of the capital-labor problem is at hand, the public was assured. The scheme was a simple one—just set wages and make strikes unlawful. The defenders of this system lost interest in the plan, however, when it was being applied to business as well as workers.

WORKERS' WAGE RATES UNDER THEIR CONTROL

Trenton, N. J., Nov. 29.—The workers may dispose of their labor power as they see fit, individually or in combination, declared the New Jersey court of errors and appeals in setting aside an injunction against members of striking unions from advising other painters not to work for the complainant company.

In annulling the injunction, the high court said the rule complained of does not discriminate against any one. "It applies to all advisements, who come within the prescribed rule.

"Economically," the court continued, "the contention urged by the lower court confuses the possible or probable effect of the defendant's action upon the employers with the defendants' rights.

"The law gives the defendant a right to advise to whom they please, when and under such conditions as they may fix, individually or in combination. They may make rules and regulations passed in good faith, providing for what they deem to be the reasonable advancement of themselves. If in the enforcement of such rules and regulations, they violate no law, but act solely for the declared purpose, the courts ought not and cannot legally enjoin them from such concerted action, for the reason such action may effect some employers.

"How can it be said that such rules and regulations create an unfair restraint of trade? If the law gives the workers such rights it must protect them in their employment. They can not be enjoined from their use or interfered with by the courts.

"Such rights are of vested interest in the labor of workers."

JAPANESE EXCLUSION APPROVED BY WORKERS

El Paso, Texas, Nov. 29.—Unanimous opposition to any modification of the Japanese exclusion law was recorded by the A. F. of L. convention.

"We are unalterably opposed to substitute exclusion by treaty for exclusion by law," the resolution said. "We utter this protest with an earnest desire to maintain the most friendly relations with the Japanese working people and with the profound conviction that mutual respect can be best maintained if we insist that Japan recognize our right to control immigration into this country by domestic legislation.

"Certain American organizations, evidently without any information of the basic facts which caused congressional action, are encouraging Japan in the mistaken belief that American public sentiment did not support congress in excluding by law all persons who are ineligible to citizenship in our country."

Atlantic City, Nov. 29.—At the convention of the National Grange a demand was unanimously made for continued rigid restriction of Oriental races in this country.

"The exclusion from the United States of Japanese and Chinese," the resolution states, "is essential to the preservation of the American farm home and its traditions to the white race and to a Christian civilization. The National Grange has never wavered in its position against the admission of the yellow race to this country. We fully reiterate our stand and are absolutely and unqualifiedly opposed to any measure for repealing of the ineligible alien clause in the recently-passed federal immigration law."

MOONEY PARDON PLEA RECALLS KINK IN LAW

El Paso, Texas, Nov. 29.—The A. F. of L. convention has again requested the governor of California to pardon Thomas J. Mooney, who is serving a life sentence on the charge of "bombing" a preparedness parade in San Francisco, July 22, 1916. Several persons were killed. After Mooney's conviction, and the records of the case was closed, witnesses for the prosecution confessed to perjury. Mooney's attorneys asked for a new trial but the state supreme court ruled that a plea for a new trial can only be based on the record of the case, and that there is no irregularity in the conduct of the trial. The attorneys pleaded that the perjury was not discovered until after the record of the case were closed, but the court dismissed the plea. The United States supreme court sustained the California court, and Mooney remains in jail although leading witnesses in the prosecution have sworn they committed perjury when he was convicted.

The governor of the state is the last recourse, and numerous pleas have been made to him for Mooney's pardon. The state senate condemned Mooney for one of the other deaths, but the prosecution refuses to accept this conviction in connection with a new trial, was with him when he was alleged to have thrown the bomb, was later acquitted, as was two others.

As the Mooney case stands now he is in the penitentiary on perjured testimony that the prosecution does not deny. Because of the peculiar California laws governing appeals, he can not secure a new trial.

MEAT BARONS BREAK THEIR PLEDGED WORD

Washington, Nov. 29.—In 1920 the "big five" meat packers signed an agreement with the department of justice that they would withdraw from related food industries and confine their activities to meat. This agreement, known as the "packers' consent decree," was understood to end all prosecution under the anti-trust laws.

Armour and Swift, leaders in the agreement, now ask a District of Columbia court to "release" them from agreement, which they voluntarily signed, is null and void.

Testifying before the house committee on agriculture, April 2, 1920, Attorney General Palmer said: "The first man who came to me representing the interests was Mr. Dunham, one of the vice presidents of Armour & Co."

The policy of the packers is indicated by this report of the federal trade commission to President Wilson on the meat packing industry:

"The commission through Mr. Heney (its counsel) had to meet deliberate falsification of returns properly required under legal authority; we had to meet schools with a national conference called by Secretary of Commerce Hoover to discuss this question.

"Last year, the statement says, traffic accidents in this country took a toll of more than almost the entire total of the total battle losses of American troops in their 19 months' participation in the world war. Traffic accidents in the same period seriously injured more than twice the total casualties of American troops in the war, including dead, wounded, missing and captured, and injured more than three times the number of American troops wounded in the 19 months.

The loss in the United States due to street and highway accidents, last year, amounted to 22,600 human lives, 678,000 serious personal injuries and $600,000,000 economic loss, an increase of 80 per cent in the last seven years. About 85 per cent of these accidents were due to automobile traffic.

CAUTION IN FINANCES IS ADVICE TO LABOR

El Paso, Texas, Nov. 29.—Caution in the formation of labor banks, and a warning against securities, investment and holding companies was recorded by the A. F. of L. convention. The subject matter was presented by the executive council. The council's position toward labor banks is identical with its policy toward all forms of collective action by the workers, but an urgent plea was made that these banks be not hastily formed, and that the conditions surrounding such ventures be studied.

In referring to investment companies, the executive council said:

"This is a type of investment about which we wish to warn the membership of our organizations, for the reason that the business of these securities, investment or holding companies is not subject either to national or state laws, and their policies are therefore in the hands and control of those controlling the companies without any necessity for rendering official reports or being subject to examination and regulation in the same way that banks now have to follow rules and regulations of either the federal or state governments.

"Some of our central bodies have already taken definite action to warn their members against these securities, investment and holding companies, and have warned their unions and the rank and file of their organizations to be exceedingly careful when approached about such an investment.

"Too much care, time and attention can not be given to the above suggestions, for after all, attention must be kept in mind that handling other people's money is a sacred and public obligation."

COAL OWNERS' THUG HAS MORE TROUBLES

Charleston, W. Va., Nov. 29.—Don Chafin, sheriff of Logan county, and leading gun man for anti-union coal owners in this state, has been held by Federal Judge McClintic under bond of $10,000 to answer an indictment charging him with interference with federal prohibition officers.

Judge Robert Bland of the state circuit court, which includes Logan county in its jurisdiction, and John Chafin, prosecuting attorney of Logan county and attorney of Logan county, were also held under $10,000 bond to answer similar indictments.

The charges grew out of the trial of Sheriff Chafin, who was found guilty of bootlegging. The sentence he was sentenced by Judge McClintic to serve two years in the Atlanta penitentiary and pay a fine of $10,000. At this trial it was charged that federal officers were intimidated. Judge McClintic gave warning that he would protect these witnesses, and that this applied to "judges, sheriffs and prosecuting attorneys," as well as others.

NATION'S OIL RESOURCES WASTED BY PRIVATE GREED

Cleveland, Ohio, Nov. 29.—"Oil men are plain boobs if they can not set their house in order," said Henry L. Doherty, of New York, here in connection, "will pay for all eternity" the price of the industry's wasted natural resources, its demoralization and its increasing competition.

Quoting figures by the United States geographic survey, Mr. Doherty declared that "we are devastating the oil reserves in the country at a rate which would exhaust them in about 12 years."

To check criminal wastes of this national resource, Mr. Doherty favored state regulation. No one would be permitted to drill for oil without a state permit, and then only in a district that had been established. No oil well should be dug within one-half mile inward from the outer boundaries of this district.

"There was no justification for an increase in the price of crude oil either last year or the year before, and there can be no justification for it this year, or at least for several months," Mr. Doherty said.

MEAT CUTTERS ADVANCE

Dallas, Texas, Nov. 29.—Membership of the amalgamated Meat Cutters and Butcher Workmen increased more than 4,100 in the last six months, according to Dennis Lane, secretary-treasurer of the union, who stopped in Dallas on his way to El Paso. Speaking of Mr. Lane said that the membership has more than doubled in the last three years. Within recent weeks 24 new locals have been established.

ANTI-UNIONIST HAS WILD DREAM; WOULD COMBINE WITH FARMERS

New York, Nov. 29.—The anti-union National Founders' association has joined hands with the National Metal Trades association, and farmers have united," according to William H. Barr, president of the founders. The purpose of the new movement, Mr. Barr said, is to protect the constitution, discuss taxes and preserve the rights of property. He rejected propagada for the Mellon tax plan and against the union shop.

Mr. Barr's announcement of this "paper" amalgamation recalls a leading editorial article published in the Wall Street Journal, just before last election. Editor Harvey, who assumes to speak for the administration, advised that the farmers "be brought back into the field of conservatism," and that war be started on railroad labor, as "high prices have continued because of high wages."

"Eventually the question must be fought out with railroad labor. It is an unpleasant prospect, but it can not be blinked," Editor Harvey said.

"President Barr is probably aware of moves discussed along the lines suggested by Editor Harvey. As Barr is a blind, unreasoning anti-unionist, he would be the last man to be chosen to lead this movement, but he is a publicity seeker and he jumps in the limelight.

While it is easy to announce an amalgamation, as Harvey and Barr suggest, the following statement by the executive committee of the National Grange indicates some of the realities the Barrs must face when they "amalgamate" with the farmers:

"The law of supply and demand has been bridled and rendered inoperative by artificial measures of protection, by bolius and by direct and indirect price fixing, until the price of the commodities the farmer must buy are fixed and sustained on the basis of high production costs, interest on investment and added profit. The farmer must sell his surplus crops in the markets of the world in competition with those produced with cheap labor in every land, and it is the market value of this surplus that determines the domestic price but is compelled to take for his produce."

Gompers Re-elected Without Contest Workers Retain Non-Partisan Policy

El Paso, Texas, Nov. 29.—President Gompers and all members of the executive council were unanimously re-elected by the A. F. of L. convention. Atlantic City was selected as the next convention city.

The convention was one of the shortest and most harmonious in the history of the A. F. of L. Practically all of the delegates made reservations on the special train to Mexico City, where they will participate in the inauguration ceremonies of President-elect Calles, Mexico's labor president.

The A. F. of L. will not abandon its non-partisan political principle, nor will it associate with any political party.

This decision was made by the A. F. of L. convention when it accepted a report by the executive council, which urged that the federation maintain its traditional political policy. The council declared that labor's support of the independent presidential candidacy of Senator La Follette was a signal success, and that this will prove beneficial to the wage earners and to the people of the country generally.

"In the pursuit of an honorable cause to protect and promote the rights and interests of the great masses of our people, we have been less concerned with partisanship than the achievement of practical results," the report said. "We are partisan to principles, not to a political party.

"The American labor movement, if it is true to its mission to defend, advocate, promote and protect the rights, interests and welfare of America's wage earners and American people, must be free from political party domination now as at any time in the past.

"The extension of our non-partisan political procedure will not only attract to ourselves the sympathetic support of all progressively-minded groups and influences, but will enable the wage earners of our land to direct the political tendencies and activities of our nation, our states and municipalities, without the necessity of concerning ourselves with the coming and going or realignment of any political party or group.

"The non-partisan political influence maintained in the popular branch of the government assures the people that whatever reactionary proposals may at any time emanate from the executive branch of the government, they shall not find a ready response and confirmation in the legislative branch of the government," the report concluded.

While adhering to the principle of non-partisanship, the report called for the enactment of legislation "so that independent political movements may function effectively whenever the need for the same may arise."

"The campaign has demonstrated that under the laws in our several states, the standing of political groups or political parties is so narrowly circumscribed as to make impossible a free expression of the political intentions of those not in accord with the existing major political parties," the report pointed out.

To further the principle of non-partisanship the report specifically urged:

1. That all non-partisan political campaign committees be maintained on a permanent basis.

2. That particular attention be paid to the political organization of women in the trade union movement.

3. That the present cumbersome ballot be so changed as to make independent voting easier.

4. That changes in laws be advocated when necessary to make the functioning of independent political movements readily effective.

5. That labor participate more generally than heretofore in primary elections.

6. That a plan be devised whereby forward-looking groups composed of persons who are not trade unionists may be enlisted in labor's non-partisan political campaigns.

EIGHT-HOUR WORK DAY PREVAILS IN GERMANY

El Paso, Texas, Nov. 29.—Working hours in Germany are not long, declared Peter Grassman, fraternal delegate from the Federation of Trade Unions of Germany to the A. F. of L. convention.

Mr. Grassman said that an inquiry of the German trades made this summer showed that 50 per cent of these unionists work eight hours and less a day; the rest work eight and a half and nine hours, and only a very small percentage more than that.

"There is at present no special law limiting the working day to eight hours," the German visitor said. "In order to press the parliament and the government, the trade unions have made preparations for a referendum about the eight-hour day. We are not satisfied with the present state of affairs, but experience teaches that even the best law remains written on paper only if no stronger power exists that is capable of enforcing it. This power is the function of the trade unions to be that power; but our unions are impoverished. They need a time of working better in this respect, also. Our unions are already in a position to accumulate funds and have settled wage disputes and to re-establish the payment of benefits, which were partly suspended during the most severe period of the inflation."

FAVOR POSTAL WAGE BILL

El Paso, Texas, Nov. 29.—The A. F. of L. convention unanimously adopted a resolution calling on congress to pass the Kelly-Edge bill increasing wages of postal employes, over President Coolidge's veto. The bill was passed at the last session of congress, but met defeat in the White House.

CONGRESS CONVENES IN "SHORT SESSION"

Washington, Nov. 29.—The final session of the sixty-eighth congress convenes the first week in December and adjourns on March 4 next. This is called the "short session," and its principal business is the passage of appropriation bills. The congress that was elected on November 4 last will not function until December of next year, unless called in special session by the president.

If the legislative program of the "short session" gets jammed, or the demand for farmers' relief increases, a special session may be called after March 4, though at this time it would appear that the administration does not favor such action.

The "short session" will probably witness fireworks over taxation and the publicity of income tax payments. A strong demand is being made for greater reduction of the surtaxes on large incomes and also to repeal the publicity feature of the income tax law. These demands may be a smoke screen by privilege to check larger taxes and greater publicity. At the last session of congress a compromise was reached on the Mellon tax plan, and the surtaxes were cut one-half of that proposed by the secretary of the treasury. Publicity of incomes was also upheld, and this has compelled large income taxpayers, who insist that this clause be repealed.

Senator Couzens, author of the publicity feature, insists that more publicity be the rule. He wants publicity on secret tax exemptions to large taxpayers by the treasury department.

Labor will present its legislative program at the "short session." Among the more important of these measures is the postal employes' wage bill, passed by the last congress and vetoed by the president.

UNUSUAL AWARD

Olympia, Nov. 29.—The state supreme court has awarded a miner suffering from appendicitis, contracted during employment, is entitled to compensation. The employe was struck by a small block of wood which had come in contact with a whirling saw. Eleven days later the miner's appendix was removed and found in an inflamed condition.

The claim was disallowed by the state department of labor and industries on the ground that the claimant's condition was not the result of an accident within the meaning of the compensation act. The supreme court ruled that the surgeon's report as evidence was conclusive that the ailment could be caused in this manner.

MEXICANS OUST BOLSHYS

Juarez, Mexico, Nov. 29.—In outing a communist delegate, the Mexican Federation of Labor declared against Moscow interference in the Mexican labor movement.

"The Communist party of Russia has no right to establish in Mexico a branch of that party, nor attempt to direct the activities of the Mexican labor movement," the resolution declared.

VOTING SCANDAL IN PORTO RICO; WORKERS CLUBBED AND COERCED

San Juan, Porto Rico, Nov. 29.—The Porto Rican elections, on November 4 last, proved to be an orgy of coercion, violence, intimidation and fraud.

Government officials afforded no protection to workers, who were clubbed by police, driven away from polling places and in some instances held on the plantations, so they could not vote.

The powerful workers' party, officially listed as Socialist party, formed a coalition with the Union Republicanists. The coalition went before the people with a program of economic and political reforms based on the United States constitution.

Opposed to this coalition were the Union Republican forces, representing the tobacco, sugar, shipping and other powerful economic interests of the island. These groups supported Felix Cordova Davila as resident commissioner from Porto Rico to the United States congress. Mr. Davila was re-elected as a result of one of the most scandalous elections in the history of the United States.

During election day large numbers of telegrams of protest were received by Santiago Iglesias, president of the Porto Rico federation of labor and member of the Porto Rican senate. These telegrams urged that Governor Reed Hyde prevent the slaughter of people from thuggery by the police and election officials.

At Manati the poll inspectors for the Union-Republican group opened ballots while the police looked on. Several ballot boxes were lost. The ballot box was examined, despite protests by the workers.

At Loiza the chief of police and other officials threatened members of the workers' party. At Anasco the workers were clubbed from the voting booths.

At other places workers were imprisoned, driven out of the voting booths, clubbed by police and held on the plantations until after the polls were closed.

Thousands of hungry, barefooted peasants walked two and three hours from the mountains to cast their vote. In many cases they were held in line, and the polls were closed.

The workers and constitutionalists have formed a joint committee to protest to the American people against this outrage on democracy. The protest will be laid before President Coolidge, the American congress, the American Federation of Labor and the American people generally.

TOTS IN COTTON FIELDS

Sacramento, Cal., Nov. 29.—State officials caused the arrest of a score of persons in the Imperial valley because of child labor in the cotton fields. Some of the cotton growers employed tots as young as 6 years old.